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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,492	06/28/2001	Alan Anderson Hoover	RCA 89855	4186

7590

12/28/2004

Joseph S Tripoli  
Thomson Multimedia Licensing Inc  
PO Box 5312  
Princeton, NJ 08540

EXAMINER
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MICHALSKI, JUSTIN I

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/869,492

Applicant(s)

HOOVER, ALAN ANDERSON

Examiner

Justin Michalski

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Klayman (US Patent 4,748,669).

Regarding Claim 1, Klayman discloses a stereophonic expansion circuit having (L+R) and (L-R) signal paths (Fig. 4, paths from 113 to 117 and 111 to 115), comprising: means for processing (L+R) and (L-R) stereo signals (Fig. 4), and means for tonal compensation of the (L+R) signal (equalizer 117).

Regarding Claim 2, Klayman further discloses tonal compensation of the (L+R) signal is in the bass and/or treble frequency bands (Fig. 5a).

Regarding Claim 3, Klayman further discloses the (L+R) signal is tonally compensated to be to reduce the mid-range frequency signals (Fig. 5a).

Regarding Claim 4, Klayman further discloses the tonal compensation of the (L+R) signal is complementary to a frequency curve of the (L-R) signal (Figures 5A and 5B; Col. 10, lines 35-37; Col. 19, lines 37-38).

Regarding Claim 5, Klayman further discloses the tonal compensation can be switched between "ON" and "OFF" modes (Fig. 6 switch 217).

Regarding Claim 6, Klayman further discloses the tonal compensation is switched "OFF" when stereo expansion is switched "OFF" (It is inherent that the sum signal equalizer will be disabled with switch 217 is turned "OFF" at position 1).

Regarding Claim 7, Klayman further discloses a switchable gain boost is provided in an (L+R) signal path (Fig. 6, switch 217).

Regarding Claim 8, Klayman further discloses the gain boost is switched "OFF" with tonal compensation is switch off (it is inherent that equalizer 215 will be disabled with switch 217 is turned "OFF" to position 1).

Regarding Claim 9, Klayman further discloses an the tonal compensation of the (L+R) signal is with respect to the (L-R) signal (Fig. 2, discloses equalizer 21 as a function of the (L-R) signal trough control circuit 30).

Regarding Claim 10, Klayman discloses a stereophonic expansion circuit having an (L+R) and (L-R) signal paths (Figure 4) wherein the tonal compensation of the (L+R) signal path is approximately complementary to the tonal frequency response of the (L-R) signal path (Figures 5A and 5B; Col. 10, lines 35-37; Col. 19, lines 37-38). The language "approximately complementary" is broad and not defined in the specification.

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Therefore, the language "approximately complementary" of claim 10 is interpreted to read on Figures 5A and 5B.

Regarding Claim 11, Klayman further discloses tonal compensation is switchable between "ON" and "OFF" modes (Fig. 6, switch 217).

Regarding Claim 12, Klayman further discloses the complementary tonal compensation is switched "OFF" when the stereo expansion is switched "OFF" (it is inherent that sum signal equalizer will be disabled when switch is turned "OFF" in position 1).

Regarding Claim 13, Klayman further discloses a switched gain boost is provided in an (L-R) signal path (Fig. 6, difference signal equalizer and switch 223).

Regarding Claim 14, Klayman further discloses the gain boost is switched "OFF" when the tonal compensation is turned "OFF" (it is inherent that sum signal equalizer will be disabled when switch 223 is turned "OFF" in position 2).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Michalski whose telephone number is (703)305-5598. The examiner can normally be reached on 8 Hours, 5 day/week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen can be reached on (703)305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JIM

  
XU MEI  
PRIMARY EXAMINER